



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

October 2, 2008

Callie A. Videtich, Director
Air & Radiation Program 8P-AR
Region 8 EPA
1595 Wynkoop Street
Denver CO 80202-1129

Re: Request to extend comment period for the Hyperion Energy Project PSD permit

Dear Ms. Videtich:

As per your request, the South Dakota Department of Environment and Natural Resources hereby agrees to extend the public comment period on the draft Prevention of Significant Deterioration air quality pre-construction permit for the Hyperion Energy Center until November 14, 2008. Since we have had similar requests from others, this extension applies to all parties and the public.

We will public notice the extension of the comment period this week in the same newspapers that we originally published the public notice for the draft permit. A copy of this public notice is enclosed. In addition, we will place the notice of the extension on our website at <http://www.state.sd.us/denr/hyperion.htm> and send out a press release.

To ensure the department has adequate time to respond to everyone's comments within the 30-day time frame established in state rules, we ask that everyone submit their comments as soon as possible. To make sure there is no misunderstanding, the department must receive all comments in this office by close of business on November 14, 2008.

Because this draft permit may be contested, our attorney has requested that you pass all future requests through her. Our attorney is Roxanne Giedd, Deputy Attorney General. She may be reached at 605-773-3215 or by email at roxanne.giedd@state.sd.us.

Thank you for responding to our public notice and providing your comments thus far on the draft permit.

Sincerely,

Steven M. Pirner
Secretary

Enclosure:

cc: Preston V. Phillips, Hyperion (w/o enclosure)
Roxanne Giedd, Deputy Attorney General (w/o enclosure)
Carol Rushin, Acting Regional Administrator, EPA Region 8 (w/o enclosure)